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Tempe City Council  
April 19, 2007

Harry E. Mitchell Government Center  
Tempe City Hall - City Council Chambers  
31 East Fifth Street  
7:30 p.m.

1. INVOCATION - Councilmember Ellis
2. PLEDGE OF ALLEGIANCE
3. MINUTES - Vice Mayor Hutson
  - A. Approval of Council Meeting Minutes
    1. Council's Executive Session – April 5, 2007
    2. Council's Issue Review Session - April 5, 2007 [20070419clrkck03.pdf](#)
    3. Council's Formal Meeting – April 5, 2007 [20070419clrkck01.pdf](#)
    4. Council's Special Budget Meeting – April 5, 2007 [20070419clrkck04.pdf](#)
    5. Council's Education & Technology Advancement Committee – March 6, 2007 [20070419etac01.pdf](#)
    6. Council's Finance, Economy & Veterans Affairs Committee – March 20 & 29, 2007 [20070419feva01.pdf](#) [20070419feva02.pdf](#)
    7. Council's Transportation & Affordable Housing Committee – March 27, 2007 [20070419tahc01.pdf](#)
    8. Housing Authority Governing Board – April 5, 2007 [20070419clrkck02.pdf](#)
  - B. Acceptance of Board & Commission Meeting Minutes
    9. Apache Boulevard Project Area Committee – March 12, 2007 [20070419apac01.pdf](#)
    10. Aviation Commission – March 13, 2007 [20070419tavco01.pdf](#)
    11. Community Special Events Task Force – March 27 & April 10, 2007 [20070419setf01.pdf](#) [20070419setf02.pdf](#)
    12. Enhanced Services Commission – February 14, 2007 [20070419esc01.pdf](#)
    13. Hearing Officer – March 20, 2007 [20070419ho01.pdf](#)
    14. Historical Museum Advisory Board – January 4, February 1, & March 1, 2007 [20070419hmab01.pdf](#) [20070419hmab02.pdf](#) [20070419hmab03.pdf](#)
    15. Library Advisory Board – March 5, 2007 [20070419lab01.pdf](#)
    16. Mayor's Youth Advisory Commission – March 20, 2007 [20070419myac01.pdf](#)
    17. Rio Salado Advisory Commission – January 23 & February 27, 2007 [20070419rsac01.pdf](#) [20070419rsac02.pdf](#)

18. Tempe Fire Public Safety Personnel Retirement Board – March 1, 2007
19. Tempe Police Public Safety Personnel Retirement Board – March 1, 2007

#### 4. REPORTS AND ANNOUNCEMENTS

- A. Mayor's Announcements
  - StormReady Community Program
  - Kid Zone Awards
- B. Manager's Announcements

#### 5. AGENDA

All items listed on the agenda will be considered as a group and will be enacted with one motion by the City Council unless an item is removed for separate consideration. Members of the public may remove public hearing items for separate consideration. Public hearing items are designated by an asterisk (\*). Councilmembers may remove any item for separate consideration.

Agenda items scheduled for Introduction/First Public Hearing will be heard, but will not be voted upon at this meeting. Items scheduled for Second Public Hearing/Final Adoption will be voted upon tonight.

'q-j' indicates quasi-judicial items. The City Council sits as a quasi-judicial body when hearing variances. In this situation, the City Council must conduct itself as a court, not as a legislative body. Pre-meeting contact with the City Council on quasi-judicial matters is prohibited. Any materials or conversations concerning the item shall only be presented to the City Council at the scheduled public hearing.

##### A. Miscellaneous Items

20. Request approval for the emergency purchase of a replacement Fire/Rescue Pumper Truck in an amount not to exceed \$434,535.

DOCUMENT NAME: [20070419fdb01.pdf](#) FIRE PROTECTION (0605)

**APPROVED**

- \*21. This is a public hearing to recommend the approval of a Series 9 Liquor Store License for Smart and Final Stores Corporation dba Smart and Final, #495, 1737 E. Broadway Road, #104.

COMMENTS: Joseph Cipollini, Agent

DOCUMENT NAME: [20070419LIQ1.pdf](#) LIQ LIC (0210-02)

**APPROVED**

- \*22. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for California Pizza Kitchen, Inc., dba California Pizza Kitchen, 2000 E. Rio

Salado Parkway, #E1.

COMMENTS: H. J. Lewkowitz, Agent  
DOCUMENT NAME: [20070419LIQ3.pdf](#) LIQ LIC (0210-02)

**APPROVED**

- \*23. This is a public hearing to recommend the approval of a Series 7 Beer and Wine Bar Liquor License for Kolby's Corner Pocket Billiards, LLC, dba Kolby's Corner Pocket Billiards, 1301 E. University Drive, #112.

COMMENTS: Douglas Abernathy, Agent  
DOCUMENT NAME: [20070419LIQ5.pdf](#) LIQ LIC (0210-02)

**APPROVED**

- \*24. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor License for Restaurant Mexico, Inc., dba Restaurant Mexico, 423 S. Mill Avenue.

COMMENTS: Carolina Chavarria, Agent  
DOCUMENT NAME: [20070419LIQ6.pdf](#) LIQ LIC (0210-02)

**APPROVED**

- \*25. This is a public hearing to recommend the approval of a Series 6 Bar Liquor License for VTLL LLC dba The District at Tempe Marketplace, 2000 E. Rio Salado Parkway, #C-6.

COMMENTS: H. J. Lewkowitz, Agent  
DOCUMENT NAME: [20070419LIQ4.pdf](#) LIQ LIC (0210-02)

**APPROVED**

B. Award of Bids/Contracts

26. Request approval of a professional services contract with Community Design + Architecture for the Light Rail Station Area Planning Project.

COMMENTS: Subject to execution of the final written contract. Total cost for this contract shall not exceed \$155,857.  
DOCUMENT NAME: [20070419PWCH03.pdf](#) TRANSPORTATION PLANNING (1101-01) PROJECT NO. 6002711

**APPROVED**

27. Request approval of a professional services contract with Malcolm Pirnie, Inc., for the

Water and Wastewater Cost of Service Rate Study.

**COMMENTS:** Subject to execution of the final written contract. Total cost for this contract shall not exceed \$188,436.

**DOCUMENT NAME:** [20070419PWCH04.pdf](#) **WASTEWATER STUDIES**  
**(0112-15) PROJECT NO. 3206411**

**APPROVED**

28. Request to award one-year contracts to Doehrman Company and MGM Equipment Source, LLC, for shop equipment.

**COMMENTS:** (IFB #07-120) Subject to execution of final written contract. Total cost for this contract shall not exceed \$110,000 during the initial contract period.

**DOCUMENT NAME:** [20070419fslg03.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

29. Request to award a one-year contract with two (2) one-year renewal options to United Fire Equipment Company for fire department clothing.

**COMMENTS:** (IFB #07-128) Subject to execution of final written contract. Total cost for this contract shall not exceed \$80,000 during the initial contract period.

**DOCUMENT NAME:** [20070419fslg11.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

30. Request to award a five-year contract with one (1) five-year renewal option to Rolling Hills Restaurant, LLC, for food and beverage services at the Rolling Hills Golf Course Restaurant.

**COMMENTS:** (RFP #07-055) This contract shall be at no cost to the City. The City will receive monthly payments of base rent or a percentage of gross receipts, whichever is greater.

**DOCUMENT NAME:** [20070419fsdl16.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

31. Request approval of a one-year contract renewal with Contact Behavioral Health Services for an Employee Assistance Program for all eligible city employees.

**COMMENTS:** (T05-061-01) Total amount of the contract shall not exceed \$45,000.

**DOCUMENT NAME:** [20070419fsta01.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

32. Request approval of a one-year contract extension with WHP Health Initiatives, Inc., for pharmacy benefits management services.

**COMMENTS:** (T02-084-01) Total amount shall not exceed \$4,200,000.  
**DOCUMENT NAME:** [20070419fsta02.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

33. Request approval of a one-year contract renewal with Basic Chemicals Solutions, LLC, for sodium hydroxide.

**COMMENTS:** (T06-142-01) Total amount not to exceed \$150,000.  
**DOCUMENT NAME:** [20070419fsts04.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

34. Request approval of a one-year contract renewal with Metering Service, Inc., for water meter calibration, maintenance, and repair service.

**COMMENTS:** (WD6-936-2251) Total cost of the contract not to exceed \$120,000.  
**DOCUMENT NAME:** [20070419fsts05.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

35. Request approval of a one-year contract renewal with Priority 1 Power Services, LLC, for consulting and maintenance services for high voltage switch and automatic transfer control equipment.

**COMMENTS:** (T03-097-01) Total amount not to exceed \$90,000.  
**DOCUMENT NAME:** [20070419fsts06.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

36. Request approval of a one-year contract renewal with Ancon Marine for sewer and lift station cleaning.

**COMMENTS:** (03PB074) Total amount not to exceed \$400,000.  
**DOCUMENT NAME:** [20070419fsts07.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

37. Request approval of one-year contract renewals with Skyline Builders & Restoration, Inc.; SDB, Inc.; GTI Contractors; Roto-Rooter Service and Plumbing Co.; Piper Power Plumbing and Mechanical; Hernandez Companies, Inc.; Fluoresco Lighting – Sign Maintenance Corporation; Commonwealth Electric Company; Vortex; M Group; Star

Roofing, Inc.; Emmet Refrigeration; Arctic Air Heating and Cooling; Trane; KSK Electric; and Kaye Contracting, Inc., for trade services.

**COMMENTS:** (Contracts T06-103-01 thru T06-103-16) Total value of these contracts shall not exceed \$1,500,000 during the contract period.

**DOCUMENT NAME:** [20070419fsta09.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

38. Request approval of a one-year contract renewal with Devau Human Resources for temporary sports officials in the Parks and Recreation Department.

**COMMENTS:** (T05-140-01) Total amount shall not exceed \$250,000.

**DOCUMENT NAME:** [20070419fslg10.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

39. Request approval of a one-year contract renewal with Total Care Tree Services for palm tree trimming services.

**COMMENTS:** (T05-131-02) Total amount not to exceed \$70,000

**DOCUMENT NAME:** [20070419fslg12.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

40. Request approval of twelve-month contract renewals with Philip Transportation and Remediation, Inc., and Environmental Response, Inc., for emergency and routine response to situations involving hazardous substances and/or pollutants.

**COMMENTS:** (#ASCC060013-2 and SCC060013-4) Total cost of contracts shall not exceed \$70,000.

**DOCUMENT NAME:** [20070419fst15.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

41. Request approval to increase by \$15,000 the contract amount with General Modular Sales and Leasing for a modular office building for the Public Works Streets Division.

**COMMENTS:** (T06-014-01) Increase from \$145,000 to \$160,000.

**DOCUMENT NAME:** [20070419fsta08.pdf](#) **PURCHASES (1004-01)**

**APPROVED**

42. Request approval to utilize one-year State of Arizona contracts with Staffmark Pacific LLC, Kelly Services, Randstad NA and Corporate Job Bank for temporary employment services.

**COMMENTS:** (#EPS070043-3, 4, 6 and 16). Total amount of the contracts shall not exceed \$600,000.

**DOCUMENT NAME:** [20070419fsta14.pdf](#) PURCHASES (1004-01)

**APPROVED**

C. Ordinances and Items for Introduction/First Hearing - These items will have two public hearings before final Council action.

- \*43. This is the **introduction and first public hearing** for an ordinance granting an easement to Southwest Gas Corporation to install and maintain the facilities necessary to provide service to the East Valley Bus Operation and Maintenance Facility, located at 2050 West Rio Salado Parkway. **The second public hearing is scheduled for May 3, 2007.**

**DOCUMENT NAME:** [20070419PWCH02.pdf](#) GRANT OF EASEMENTS (0904-02) ORDINANCE NO. 2007.22

**INTRODUCED AND HELD FIRST PUBLIC HEARING.  
SECOND PUBLIC HEARING SET FOR MAY 3, 2007.**

- \*44. This is the **introduction and first public hearing** to amend Chapter 19 of the Tempe City Code relating to Motor Vehicles and Traffic by amending Section 19-141 relating to position of motor-driven cycles. **The second public hearing is set for May 3, 2007.**

**COMMENTS:** The purpose of this amendment is to make it lawful to park more than two motor-driven cycles within one parking meter space in order to maintain constitutionality as well as provide equitable enforcement of the law for citizens and patrons of Tempe.

**DOCUMENT NAME:** [20070419pdsam02.pdf](#) MOTOR VEHICLES & TRAFFIC (0503-19) ORDINANCE NO. 2007.28

**INTRODUCED AND HELD FIRST PUBLIC HEARING.  
SECOND PUBLIC HEARING SET FOR MAY 3, 2007.**

D. Ordinances and Items for Second Hearing/Final Adoption

- \*45. This is the **second public hearing** to amend Chapter 16 of the Tempe City Code relating to License, Privilege and Excise Taxes.

**DOCUMENT NAME:** [20070419cacc01.pdf](#) TCC CH 16 - LICENSES, TAXATION & MISC BUS REGS, ETC. (0503-16) ORDINANCE NO. 2007.20

**APPROVED**

- \*46. This is the **second public hearing** to amend Chapter 23 of the Tempe City Code related to Parks and Recreation by adding new Section 23-35; amending Sections 23-36; 23-37; 23-7.1; 23-40; 23-45; 23-46; 23-57; 23-74; 23-75; 23-76; 23-77; and 23-79; and repealing Section 23-59.

DOCUMENT NAME: [20070419cdnr01.pdf](#) TCC CH 23 – PARKS AND RECREATION (0503-23) ORDINANCE NO. 2007.21

**APPROVED**

E. Resolutions

47. Request approval of a resolution to accept grant funding from the Governor's Office of Highway Safety for the purchase of portable breath testers (PBT's).

COMMENTS: The award totals \$25,000 for fifty (50) portable breath testers.

DOCUMENT NAME: [20070419pdsam03.pdf](#) POLICE DEPARTMENT ADMINISTRATION (0606-02) RESOLUTION NO. 2007.25

**APPROVED**

48. Request approval of a resolution to enter into an intergovernmental agreement between the City of Tempe and the City of Glendale detailing the agreed respective responsibilities of personnel when working together during large events at the Arizona Sports and Tourism Authority Stadium (University of Phoenix Stadium).

DOCUMENT NAME: [20070419pdsam01.pdf](#) POLICE DEPARTMENT ADMINISTRATION (0606-02) RESOLUTION NO. 2007.23

**APPROVED**

49. Request approval of a resolution authorizing the execution of a license agreement with Salt River Project to allow two existing driveways over the Gila Drain on the east side of Rural Road, north of Warner Road.

DOCUMENT NAME: [20070419PWCH01.pdf](#) SALT RIVER PROJECT (SRP) (0113-03) RESOLUTION NO. 2007.21

**APPROVED**

50. Request adoption of a resolution ordering the sale of not to exceed \$80,000,000 principal amount of City of Tempe General Obligation Bonds, Series 2007A, and approving related documents.

DOCUMENT NAME: [20070419fsjh01.pdf](#) BOND SERVICE ADMINISTRATION

**(0203-01) RESOLUTION NO. 2007.27.**

**APPROVED**

**6. PUBLIC APPEARANCES**

According to the Arizona Open Meeting Law, the City Council may only discuss matters listed on this agenda. Matters discussed by the public during public appearances cannot be discussed by the City Council unless they are specifically listed on this agenda. There is a five-minute time limit per speaker. Speaker's visual aids or recorded tapes are not allowed.

Members of the public shall refrain from making personal, impertinent or slanderous remarks and from becoming boisterous while addressing the City Council or while attending the meeting. Unauthorized remarks from the audience, clapping, stomping of feet, yelling or any similar demonstrations are also prohibited. Violations of these rules may result in removal from the City Council meeting.

**7. CURRENT EVENTS/COUNCIL ANNOUNCEMENTS/FUTURE AGENDA ITEMS**

The City of Tempe endeavors to make all public meetings accessible to persons with disabilities. With 48 hours advance notice, special assistance can also be provided for sight and/or hearing impaired persons at public meetings. Please call (480) 350-8241 (voice) or (480) 350-8400 (TDD) to request an accommodation to participate in the City Council meeting.

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